

09-28-05

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IPW

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/775,278	02/10/2004	Bruce R. Buchanan	HO-P02739US1

26271  
FULBRIGHT & JAWORSKI, LLP  
1301 MCKINNEY  
SUITE 5100  
HOUSTON, TX 77010-3095

RECEIVED  
AUG 05 2005  
Docket: P02739US1  
Client: S21  
Attorney: GC

CONFIRMATION NO. 1234  
FORMALITIES LETTER



\*OC000000016658666\*

Date Mailed: 08/01/2005

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. *A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*  
*Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450

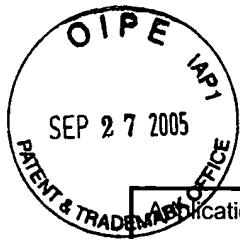
09/29/2005 WASFAN1 00000012 10775278 Alexandria VA 22313-1450

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65.00 OP

*Tahsniy*  
*Office of Initial Patent Examination (703) 308-1202*  
*PART 2 - COPY TO BE RETURNED WITH RESPONSE*

*A copy of this notice **MUST** be returned with the reply.*



SEP 27 2005

Application No. (if known): 10/775,278

Attorney Docket No.: HO-P02739US1

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 676994436 US in an envelope addressed to:

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on September 27, 2005  
Date

Signature

Gino Catena

Typed or printed name of person signing Certificate

45,546  
Registration Number, if applicable

(713) 651-5144  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Response to Notice to File Missing parts of Nonprovisional Application  
Copy of Notice to file Missing Parts of Nonprovisional Application  
Declaration  
Check in the amount of \$65.00



Docket No.: HO-P02739US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Buchanan et al

Application No.: 10/775,278

Filed: February 10, 2004

For: **DATABASE AND METHOD OF USE FOR  
AUTHENTICITY VERIFICATION**

Confirmation No.: 1234

Art Unit: 2171

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed August 1, 2005, Applicant respectfully submits a Declaration and Part 2 Copy of Notice.

Our check in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(e) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02739US1.

A duplicate copy of this paper is enclosed.

Dated: September 27, 2005

Respectfully submitted,

By Gino Catena  
Gino Catena  
Registration No.: 45,546  
FULBRIGHT & JAWORSKI L.L.P.  
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## Revised Power of Attorney Practice - 37 CFR 1.32 (Applies to powers of attorney filed on or after June 25, 2004)

As a result of a revision of the patent rules relating to powers of attorney, a power of attorney filed on or after June 25, 2004 must either appoint:

- a) One or more joint inventors; OR
- b) Those registered practitioners associated with a Customer Number; OR
- c) Ten or fewer patent practitioners, either in the power of attorney itself, or by a listing in a separate paper accompanying the power of attorney, as explained below.

See (newly established) 37 CFR 1.32(b) and (c), the text of which is as follows:

- (b) A power of attorney must:
  - (1) Be in writing;
  - (2) Name one or more representatives in compliance with (c) of this section;
  - (3) Give the representative power to act on behalf of the principal; and
  - (4) Be signed by the applicant for patent (§ 1.41(b)) or the assignee of the entire interest of the applicant.
- (c) A power of attorney may only name as representative:
  - (1) One or more joint inventors (§ 1.45);
  - (2) Those registered patent practitioners associated with a Customer Number;
  - (3) Ten or fewer registered patent attorneys or registered patent agents (see § 10.6 of this subchapter) (patent practitioners). Except as provided in paragraph (c)(1) or (c)(2) of this section, the Office will not recognize more than ten patent practitioners as being of record in an application or patent. If a power of attorney names more than ten patent practitioners, such power of attorney must be accompanied by a separate paper indicating which ten patent practitioners named in the power of attorney are to be recognized by the Office as being of record in application or patent to which the power of attorney is directed.

The filing receipt reflects the power of attorney that has been entered for the application. If the power of attorney appointed more than ten patent practitioners, without reference to a Customer Number and without a separate paper indicating which ten patent practitioners named in the power of attorney are to be recognized, then no patent practitioner has been made of record.

**How to take corrective action:** Resubmit a copy of the power of attorney along with a separate paper indicating which (up to ten) patent practitioners named in the power of attorney are to be recognized by the Office as being of record in the application or patent to which the power of attorney is directed, or file a newly executed power of attorney in compliance with 37 CFR 1.32.

After receipt of such a submission, the patent practitioners listed on the separate paper or new power of attorney in compliance with 37 CFR 1.32 will be recognized as being of record. For additional information regarding this change in practice, see Revision of Power of Attorney and Assignment Practice, 69 Fed. Reg. 29865 (May 26, 2004); 1283 Off. Gaz. 148 (Jun. 22, 2004) and <http://www.uspto.gov/web/offices/pac/dapp/poafaqs.htm>.